

REMARKS

In the Final Office action dated November 13, 2006, the Examiner indicated Claims 3-5 are pending and the Examiner rejected all claims.

The §112 Rejections

On page 4 of the Office Action, the Examiner has rejected Claims 3-5 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner asserts that the previously presented claims are not supported by the language in the specification. First, the Examiner objects to the phrasing “contents of all” in, for example, Claim 3 lines 10 and 11. Each claim has been amended to further clarify this limitation. Second, the Examiner states “these actions are not described as being performed in response to ‘the execution of a save function’”. Applicants respectfully disagree. On page 11, lines 9-15 of the specification, it is shown how the entire process is begun with the execution of a save function. Applicants submit that this overcomes the rejection under 35 U.S.C. §112, first paragraph. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims under 35 U.S.C. §112, first paragraph.

The Rejections under 35 U.S.C. §103

On page 4 of the Office Action, the Examiner has rejected Claims 3 and 4 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,907,703 to Kronenberg et al. in view of U.S. Patent No. 5,241,670 to Eastridge et al., and on page 6 of the Office Action, the Examiner

has rejected Claim 5 under 35 U.S.C. §103(a) as being unpatentable over Kronenberg in view of Eastridge and further in view of U.S. Patent No. 6,286,051 to Becker et al.

The Present Invention

The present invention simplifies the tasks that programmers need to carry out to manipulate (e.g., load and save) archives. This is accomplished by providing a common archive interface which is utilized by the programmer to access archive files of varying formats. The common archive interface implements a set of methods or instructions which the programmer can utilize to manipulate the files, and which automatically and transparently to the programmer loads and saves the files appropriately without regard as to the format (archive, directory, etc.) in which the files are stored.

Thus, a determination of the file structure is made, a loading strategy is created based on the determined file structure, a virtual archive is created comprising a stored list of proxies enabling the desired files to be located, with the list of proxies being stored in the virtual archive in an archive format, regardless of the format in which the original files were stored. Once all of the proxies are identified, upon the execution of a save function, a deferred copying process is performed on the contents of all of the files identified by the proxies, and the contents are stored and retrieved.

The Applicable Law

With respect to obviousness, as set forth in the MPEP:

To establish a *prima facie* case of obviousness, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skilled in the art, to modify the reference or to combine reference teachings.

MPEP 2143

The Amended Claims Not Obvious In View of the Cited Art

Neither Kronenberg, nor Eastridge, nor Becker teach or suggest the creation of a virtual archive using a loading strategy wherein the loading strategy is determined based upon the format of the files to be archived, with the virtual archive comprising a stored list of proxies enabling the files identified in a requested file set to be located, and then performing a deferred copying process on the contents of all of the files in the file set and storing the contents to an archive on disk, wherein the contents are retrieved by one of the loading strategies in the virtual archive. Specifically, Kronenberg discloses a generic loading strategy that is identical for any format of file to be loaded. Without such teaching or suggestion, the present claims are patentable over Kronenberg, Eastridge and Becker, either alone or in any combination. Since the claims now expressly recite these features, it is submitted that the claimed invention is patentable over the prior art and is in condition for allowance.

Conclusion

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 09-0461.

Respectfully submitted,

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Date

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